

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

ALEEYA PEREDIA, INDIVIDUALLY  
AND ON BEHALF OF OTHER  
SIMILARLY SITUATED,

Plaintiff,

v.

TANYA BENAVIDES, EFREN  
ANTONIO MORENO II, AND BLUSH  
BRUNCH, LLC.,

Defendants.

CASE NO. 5:23-cv-1327

**JOINT MOTION TO EXTEND ANSWER DATE**

Plaintiff Aleeya Peredia and Defendant Tanya Benavides, Efren Antonio Moreno II, and Blush Brunch, LLC (collectively, “Defendants”), by and through their undersigned counsel, file this Joint Motion to Extend Answer Date and show the Court as follows:

1. On October 19, 2023 Plaintiff initiated this action against Defendants alleging violations of the Fair Labor Standards Act (“FLSA”), 29 U.S.C. § 201, *et seq.* (Doc. 1).
2. On November 6, 2023, Defendant Benavides was served with a summons requiring her to answer or otherwise respond to the Complaint by November 28, 2023. Defendants Moreno and Blush Brunch were served subsequently.
3. Subsequent to the filing of the Complaint, counsel for Plaintiff and Defendants met and conferred about Defendants’ responsive pleading deadlines. During the conference, counsel agreed to extend Defendants’ deadlines to answer or otherwise respond to a date beyond January 11, 2024.

4. As such, Plaintiff and Defendants move the Court to extend Defendants' deadlines to answer or otherwise respond to the Complaint to January 11, 2024.

5. The request for extension will provide time for the parties to further investigate the facts of their respective cases and determine what facts are in dispute and whether the matter can be resolved without Defendants expending attorneys' fees for filing a motion for leave to amend, preparing an answer or otherwise responding to the Complaint.

6. Wherefore, Plaintiff and Defendants move the Court to extend Defendants' answer dates until January 11, 2024 and otherwise stay the proceedings and for such further action as the Court finds necessary to enable the parties to attempt to resolve this matter.

Respectfully submitted,

/s/ Josef F. Buenker  
Josef F. Buenker  
State Bar No. 03316860  
jbuenger@buenkerlaw.com  
**The Buenker Law Firm**  
P.O. Box 10099  
Houston, Texas 77206  
Phone: (713) 868-3388  
Facsimile: (713) 683-9940

Douglas B. Welmaker  
State Bar No. 00788641  
doug@welmakerlaw.com  
**Welmaker Law, PLLC**  
409 N. Fredonia, Suite 118  
Longview, Texas 75601  
Phone: (512) 799-2048

**ATTORNEY FOR PLAINTIFF**

/s/ Lisa P. Alcantar  
Lisa P. Alcantar  
State Bar No. 24069284  
lalcantar@maynardnexsen.com  
**MAYNARD NEXSEN, P.C.**  
7373 N. Broadway St.  
San Antonio, Texas 78209  
Telephone: (512) 989-6558

**ATTORNEY FOR DEFENDANT**

**CERTIFICATE OF SERVICE**

I certify a true and correct copy of this document has been served on all counsel of record via the Court's ECF system on November 27, 2023.

/s/ *Lisa P. Alcantar*  
Lisa P. Alcantar